

## DELEGATED OFFICER REPORT



**WOKINGHAM  
BOROUGH COUNCIL**

<b>Application Number:</b>	250120
<b>Site Address:</b>	Lockey Farm, Sindlesham Road, Arborfield, Wokingham, RG2 9JH
<b>Expiry Date:</b>	18 April 2025
<b>Site Visit Date:</b>	4 February 2025
<b>Proposal:</b> Full application for the erection of 1 no. building to form a farm shop, change of use of former farm shop building to Class E(g)(ii) use and alterations to the parking layout. (Part retrospective)	

### **PLANNING CONSTRAINTS/STATUS**

Bat Roost Habitat Suitability  
Scale and Location of Development Proposals - **Countryside**  
Great Crested Newt Consultation Zone – **Amber and Red Risk Zones**  
Nuclear Consultation Zone – **12km Zone**  
Landscape Character Assessment Area  
Local Plan Update Submitted Sites  
SSSI Impact Risk Zones  
Thames Basin Heaths SPA Mitigation Zones  
Historic Flooding Points Consultation Zone  
PRoW Improvement Plan

### **PLANNING POLICY**

<b>National Policy</b>	National Planning Policy Framework (NPPF) National Design Guide
<b>Core Strategy (CS)</b>	CP1 – Sustainable Development CP3 – General Principles for Development CP6 – Managing Travel Demand CP7 – Biodiversity CP9 – Scale and Location of Development Proposals CP11 – Proposals Outside Development Limits
<b>MDD Local Plan (MDD)</b>	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB21 – Landscape Character TB23 – Biodiversity and Development TB24 – Designated Heritage Assets
<b>Other</b>	National Planning Policy Guidance (NPPG) Borough Design Guide Supplementary Planning Document

	CIL Guidance + 123 List
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PLANNING HISTORY		
Application No.	Description	Decision & Date
021518	Proposed erection of agricultural building for use of free range chickens.	Approved 03/10/2002
031196	Application for temporary permission to site a temporary dwelling.	Approved 11/07/2003
040679	Proposed erection of 1m high earth shelter (bund) for chickens. Retrospective.	Approved 05/04/2004
041389	Application for a prior agricultural determination for the erection of an agricultural polytunnel	Approved (permitted development) 29/11/2004
050783	Proposed demolition of existing farm shop building and proposed erection of a replacement farm shop (A1) and cafe (A3) with widened access and provision of car park for 16 cars.	Approved 11/01/2006
072398	Application for an Agricultural Determination for the erection of an agricultural barn.	No objections 23/08/2007
101637	Proposed erection of permanent agricultural dwelling. Demolition of existing temporary dwelling.	Approved 17/06/2010
111176	Proposed change of use of land for the erection of tea room building and children's play area	Refused 28/04/2011
112094	Application for variation to conditions 2 and 7 of planning consent F/2005/5155 to remove cafe element, the whole building in use as farm shop. Retrospective.	Approved 29/12/2011
112302	Proposed change of use of land from agriculture to a mixed use for the stationing of a cafe building and children's play area	Approved 24/08/2011
221245	Full application for the erection of buildings and fenestration alterations to accommodate the single storey extension to farm shop/caf�. Single storey infill and extension to create a hair salon. Siting of a Portacabin for use as an Architect's office. Siting of a shipping container for use as a florist. Storage of caravans (RETROSPECTIVE).	Refused 13/07/2022
222980	Full planning application for the erection of single storey extensions to the farm shop and caf�. (Retrospective)	Approved 21/11/2022

223670	Full planning permission for recreational vehicle storage and erection of an infill building for use as a hairdresser plus associated works (retrospective).	Approved 28/02/2023
230020	Full planning permission for the erection of 2 buildings for Class E use. (Retrospective)	Refused 13/03/2023, Dismissed at Appeal
231531	Full planning application for the proposed change of use of land from agriculture to equestrian use plus erection of ménage and 1.2m surrounding fence. (Part Retrospective)	Refused 11/09/2023
231470	Full application for the proposed change of use of land from agricultural use to outdoor recreation use (Use Class F1(c)) to form an extension to children's play area.	Application withdrawn
231663	Full application for the change of use of a building from agricultural use to the storage of motor vehicles (Retrospective).	Approved 12/09/2023
232955	Application for a certificate of existing lawful development for the use of the site for outdoor recreation purposes.	Approved 22/01/2024
232978	Full application for the change of use of land and buildings from agricultural to equestrian use including the erection of a ménage and fencing. (Part retrospective)	Approved 29/02/2024
240971	Full application for the change of use of land from agricultural use to outdoor recreation use to form an extension to a children's play area, plus the erection of 2no. bouncy pillows and associated fencing. (Retrospective)	Approved 17/06/2024

## CONSULTATION RESPONSES

### Internal

WBC Environmental Health – No comments received  
 WBC Drainage – No objections  
 WBC Highways – No objection subject to condition(s)  
 WBC Built Heritage Officer – No comments received  
 WBC CIL – CIL commentary  
 WBC Cleaner and Greener – No comments received  
 WBC Ecology Newts – No objections

### External

Thames Water Utilities Ltd – No comments received

## REPRESENTATIONS

Parish/Town Council	Arborfield & Newland Parish Council notes that this is another retrospective application from this applicant. While we wish to support local businesses and their owners, we also urge them to follow the planning process for future applications. Despite this being a retrospective application, taking account of the merits of the case, the Council has no objections to this application being granted.
Ward Member(s)	No comments received
Neighbours	<p>One resident raising objections on the following grounds:</p> <ul style="list-style-type: none"> <li>- New farm shop building is excessive in scale.</li> <li>- Justification for scheme should not partly surround removal of buildings previously dismissed at appeal.</li> <li>- Conversion of existing farm shop is an unacceptable intensification of the uses on site.</li> <li>- Worries about further variations to converted farm shop (<i>Officer comment: The potential of future development cannot impact the determination of this application.</i>)</li> </ul>

## APPRAISAL

### Site Description:

Lockey Farm, formally known as 'Newlands Farm' is located immediately north of the Arborfield Cross settlement boundary and as a result is located within the designated Countryside. The site is accessed from Sindlesham Road (B3030) and upon entering the farm there is a courtyard/parking area which is surfaced with a loose gravel.

The site is in the Countryside. To the immediate south lies the settlement of Arborfield Cross and to the west lies the settlement of Arborfield. To the north lies predominantly open fields lined with vegetation, except for a small number of dispersed dwellings and agricultural buildings. To the east lies open fields apart from a handful of large, dispersed dwellings.

### Proposal Description:

This application seeks retrospective approval for the proposed change of use of the existing farm shop building into Class E g) ii) use (the research and development of products or processes) and the subsequent erection of another building to create a new, smaller farm shop (Class E a) use).

The original farm shop building has been occupied by Bio-Drive (previously called Amzco), who are a company that specialises in anaerobic digestion plant design and construction. At Lockey Farm they are using the building specifically to research and develop smaller prototype digestors for the exclusive use of farmers.

The new farm shop building is sited on the opposite side of the courtyard to the south. It should be noted that this building has been erected on site since at least 2017 and therefore, the operational development aspect of this element of the proposal is

already lawful through the passage of time. Focus is therefore on the building's use.

**Principle of Development:**

Policy Context:

*Core Strategy 2010:*

Policy CP3 of the Core Strategy states that planning permission will be granted for proposals that:

- Are of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life;
- Have no detrimental impact upon important ecological, heritage, landscape (including river valleys) or geological features or water courses.
- Contribute to a sense of place in the buildings and spaces themselves and in the way they integrate with their surroundings (especially existing dwellings) including the use of appropriate landscaping;

The site lies within the Countryside as designated in the Wokingham Borough Core Strategy. Core Strategy policy CP11 states, in order to protect the separate identity of settlements and maintain the quality of the environment, proposals outside of development limits will not normally be permitted except in certain circumstances. This criteria is as follows:

- 1) It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside-based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of, the countryside; and
- 2) It does not lead to excessive encroachment or expansion of development away from the original buildings; and
- 3) It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement; or
- 4) In the case of residential extensions, does not result in inappropriate increases in the scale, form or footprint of the original building;
- 5) In the case of replacement dwellings the proposal must:
  - i) Bring about environmental improvements;
  - or ii) Not result in inappropriate increases in the scale, form or footprint of the original building.
- 6) Essential community facilities cannot be accommodated within development limits or through the re-use/replacement of an existing building;
- 7) Affordable housing on rural exception sites in line with CP9.

*Managing Development Delivery Local Plan (MDDLP) 2014:*

Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks, promote linkages between public open space and the countryside, retain existing trees and establish appropriate landscaping.

**National Planning Policy Framework (NPPF):**

The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

Paragraph 88 of the NPPF titled 'Supporting a prosperous rural economy' states that planning policies and decisions should enable:

- a) *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) *buildings;*
- c) *the development and diversification of agricultural and other land-based rural businesses;*
- d) *sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- e) *the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

Paragraph 89 of the NPPF follows on from this by stating that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

**Assessment:**

***Conversion of original Farm Shop to Class E(g)(ii) use:***

With regards to the conversion of the existing farm shop building, criterion 1 of the CP11 requires development to contribute to diverse and sustainable rural enterprises within the borough. Bio-Drive's operations are technically independent from that of Lockey Farm, but the nature of their operations benefits greatly from being located on a farm; the anaerobic digestion plants will be affordable for farmers and will enable farms to become carbon neutral by producing gas and electricity from their waste such as feed, cut grass and old animal bedding. As such there will also be long term economic benefits in producing their own energy given the recent rises in energy prices and the impact this has had on farmers.

No definition for diverse and sustainable rural enterprises is provided within the wording of CP11. In this instance, the nature of the research and development Bio-

Drive carried out at Lockey Farm is a sustainable form of energy generation for farms which in the Council's opinion, broadly meets the aims of criterion 1. Paragraph 88 of the NPPF also supports the sustainable growth and expansion of all types of business in rural areas through the conversion of existing buildings, which is the case with this development.

Turning to criterion 2, as the proposals involve the conversion of an existing building there would be no further encroachment of development. Compliance with this criterion is achieved.

With regards to criterion 3, the use is considered located within a building appropriate for conversion. Compliance with this criterion is achieved.

***New Farm Shop Building:***

The principle of a farm shop's acceptability on site was already established through the approval of application 050783. The farm shop proposed would continue to contribute to the farm as a rural enterprise and therefore compliance with criterion 1 is achieved.

With regards to criterion 2, the building subject of this application is already deemed lawful through the passage of time. There is therefore no additional encroachment of development upon that already lawful on site and compliance with criterion 2 is achieved.

Criterion 3 is not considered relevant to the proposals as the building proposed is already lawful.

**Summary:**

Overall, the proposals are considered broadly compliant with CP11 and is considered acceptable in principle.

**Character of the Area:**

Paragraph 187(b) of the NPPF requires that planning applications enhance the natural and local environment by 'recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.'

Policy CP11 supports development in the countryside only where it maintains the high quality of the rural environment. Policy CP1(1) similarly only supports development that maintains or enhances the high quality of the environment, with policy CP3 supporting development of an appropriate mass, layout, built form, height and character to the area CP3(a) and which makes a positive contribution to the sense of place contributes to the buildings and spaces themselves and in the way they integrate with their surroundings CP3(f).

The Borough Design Guide Supplementary Planning Document provides further

guidance for developers with general guidance that development should respond positively to its site and local context (G1) and respond positively to the local character of the area (G2).

The National Design Guide section B1, paragraph 67 also states that the built form of well-designed places should relate well to:

- the site, its context and the opportunities they present;
- the proposed identity and character for the development in the wider place;

The conversion of the existing farm shop results in no additional adverse visual impacts. Traffic movements associated with Bio-Drive would be limited as the use will not involve the consistent comings and goings of visitors (12 vehicle spaces for staff and visitors) and it is not considered that this increase in the intensity of uses on site would have an adverse impact on the surrounding Countryside, nor do WBC Highways foresee any impacts on the highway network.

The new farm shop building, as already established, is lawful through the passage of time and therefore no objections can be raised regarding its physical form. The building is well set back from the street scene adjacent to the consented café building and in total, the retail floorspace is 79sqm which is modest and commensurate in scale to the site's character. As a larger farm shop previously existed on site, it is not considered that this smaller farm shop is out of keeping with the farm, nor does it harm the prevailing rural character of the area.

In the interests of safeguarding the Countryside, the following conditions will be imposed:

- Restriction on the converted Farm Shop to Class E g) ii) use only.
- Restriction on consented retail floorspace for the farm shop.
- Restriction on farm shop to Class E a) use only.
- Operating hours restriction on both uses.

A personal permission for the farm shop was considered, linking it to the operations of Lockey Farm as a whole. However, with consideration for the 6 tests for planning conditions, the proposals are considered compliant with the development plan in principle and as such, the imposition of the condition is not necessary to approve the development.

### **Neighbouring Amenity:**

#### *Overlooking, Loss of Light, Overbearing and Noise:*

The nature and location of these proposals do not warrant any concerns on these grounds.

### **Highway Access and Parking Provision:**

#### *General:*

A farm shop has already been in operation at the site for a number of years and

Highways has no objection to the proposed use.

The former farm shop building is to be used for Research & Development purposes, and this has already been in operation. Highways do not consider that the traffic associated with this will have an adverse impact on the highway network.

***Parking:***

The proposal also seeks to regularise the parking at the site. A total of 39 spaces are available, plus use of an overflow car park at peak times (for a maximum of 28 days/yr). The proposed parking layout provides an extra 4 parking spaces and this is welcome. This is possible due to the removal of two buildings in this area of the site.

In accordance with WBC standards, the proposed farm shop requires 4 spaces (1 per 20sqm floor area available to customers). The applicant has allowed for 7 spaces within their submission and as such this exceeds the required level of parking. The research and development use requires 12 spaces for staff and visitors.(1 per 25sqm). The level of parking available within the main car park caters for this, however, there is also additional staff parking to the rear of the building.

The remaining parking (plus overflow) will remain available to visitors of the café and play area as per the existing situation.

In summary, the proposed level of parking is considered acceptable. The proposed parking layout maintains acceptable turning and circulation area and will be subject to a condition.

The Council acknowledge that there are shipping containers on site (previously refused by application 230020 and dismissed at appeal) that occupy an area of the proposed parking spaces. To ensure its removal to facilitate the parking, a 3 month removal condition will be imposed on the decision notice.

***Cycle Storage:***

Highways are not aware of the current level of cycle parking available to staff and visitors therefore recommend details to be provided. This shall include some long-term provision for staff (covered, secure) and short-term, accessible cycle parking for visitors. Details will be secured by condition.

***Flooding and Drainage:***

The site is located within Flood Zone 1 and at low risk of surface water flooding. The proposals involve no increases in development footprint on site and therefore there are no additional flood risk concerns.

***Landscape and Trees:***

Policy CC03 of the Managing Development Delivery Local Plan states that development proposals which would result in the loss, fragmentation or isolation of areas of green infrastructure will not be acceptable. Policy TB21 also states that

proposals must demonstrate how they have addressed the requirements of the Council's Landscape Character Assessment, including the landscape quality; landscape strategy; landscape sensitivity and key issues. Proposals should retain or enhance the condition, character and features that contribute to the landscape.

The application site is within the Wokingham Borough Landscape Character Assessment area J2 'Arborfield Cross and Barkham Settled and Farmed Clay', a landscape of moderate condition and sensitivity. The strategy is to conserve and enhance the remaining rural character of the landscape. The key aspects to be conserved and enhanced are the field pattern with mature hedgerow trees, wetland and woodland habitats, rural lanes and historic features. In terms of development, the aim is to integrate new development into its landscape setting and retain the open and rural character of the landscape between settlements.

The conversion of the existing farm shop and the new farm shop are located within buildings already considered lawful, with no additional development proposed apart from alterations to the parking layout within the existing development envelope. It is therefore considered that the proposals adequately address the requirements of the LCA, in that they would have no adverse impacts on the open and rural character of the landscape.

### **Ecology:**

#### *Biodiversity Net Gain:*

Due to the retrospective nature of the application, the proposals are exempt from mandatory Biodiversity Net Gains.

#### *Great Crested Newts:*

WBC Ecology Newts have raised no objections to the proposals on the grounds of impacts on GCNs as a protected species.

### **Conclusion:**

The proposals involve the re-use of a redundant building in the original farm shop with a use that creates sustainable energy methods for farmers which would have notable economic and social benefits both for the business and local farmers who would utilise the products researched at the site.

The retention of the farm shop on site will also undoubtedly have social benefits for local residents who regularly shop at Lockey Farm, plus residual economic benefits for Lockey Farm as an agricultural/rural enterprise.

Overall, the proposals are considered compliant with the Development Plan. Subject to conditions, this application is recommended for approval.

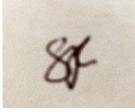
### **Community Infrastructure Levy (CIL):**

When planning permission is granted for a development that is CIL liable, the Council

will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

**The Public Sector Equality Duty (Equality Act 2010):** In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

<b>RECOMMENDATION</b>	
<b>Conditions agreed:</b>	Not required
<b>Recommendation:</b>	Approval
<b>Date:</b>	2 April 2025
<b>Earliest date for decision:</b>	21 February 2025

<b>Recommendation agreed by:</b> <b>(Authorised Officer)</b>	
<b>Date:</b>	4.4.25